



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,115	04/30/2001	Masayuki Chatani	375.14.01	5023

25920 7590 08/22/2006

MARTINE PENILLA & GENCARELLA, LLP  
710 LAKEWAY DRIVE  
SUITE 200  
SUNNYVALE, CA 94085

EXAMINER

BAROT, BHARAT

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/846,115

Applicant(s)

CHATANI, MASAYUKI

Examiner

Bharat N. Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19, 21-23 and 25-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19, 21-23 and 25-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**RESPONSE TO REQUEST FOR CONTINUED EXAMINATION (RCE)**

1. Claims 1-19, 21-23, and 25-37 remain for further examination.

**The new grounds of rejection**

2. Applicants' arguments and amendments with respect to claims 1-19, 21-23, and 25-37 and request for continued examination (RCE) filed on July 05, 2006 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

**Claim Rejections - 35 USC § 103(a)**

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Art Unit: 2155

4. Claims 1-19, 21-23, and 25-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dietz (U.S Patent No. 6,385,586) in view of Dymetman et al (U.S. Patent No. 6,901,360).

5. As to claim 1, Dietz teaches a method of modifying content data transmitted from a first computer to a second computer over a bi-directional communications network (see abstract; and figure 2) comprising: specifying content data output characteristics to be associated with the content data upon output by the second computer (figures 2-3; column 5 lines 56-65; and column 6 lines 24-50); transmitting the content data from the first computer to the second computer over the bi-directional communications network (figure 2; and column 5 lines 40-55); and altering the content data that is to be output by the second computer in accordance with the content data output characteristics specified through the first computer, the altering includes converting an audio component of the content data to text data, the text data being processed into converted text data, and the converted text data being synthesized into audio data (see abstract; figures 2-3; column 4 line 43 to column 5 line 20; column 5 line 56 to column 6 line 13; and column 6 lines 42-62).

However, Dietz does not explicitly teach that the output characteristics identifying an expression to be applied to the content data, and the converted text data being synthesized into audio data that includes the applied expression that does not perform language translation.

Dymetman et al explicitly teach that altering the content data that is to be output by the second computer in accordance with the content data output characteristics specified through the first computer, the output characteristics identifying an expression to be applied to the content data, the altering includes converting an audio component of the content data to text data, the text data being processed into converted text data, and the converted text data being synthesized into audio data that includes the applied expression that does not perform language translation (see abstract; figures 103; and column 8 line 15 to column 10 line 19).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Dymetman et al as stated above with the method of Dietz for modifying content data transmitted from a first computer to a second computer over a bi-directional communications network because it would have preserved ambiguities during interpretation of an expression and produce more reliable translations at a reduced cost in terms of computation; and also provided efficient way of managing the transmission of information in the network.

6. As to claim 2, Dietz teach the steps of: receiving the content data in the first computer; and outputting the altered content data from the second computer (column 3 line 61 to column 4 line 6; and column 4 lines 30-42).

Art Unit: 2155

7. As to claim 3, Dietz teach that the content data output characteristics include location information of the first and second computers, the location information affects the altering of the content data (column 4 lines 30-64).
8. As to claims 4-5, Dietz teach that the received content data comprises voice data input into the first computer; and the altered content data being transmitted for output through speakers coupled to the second computer (figure 1; and column 3 line 44 to column 4 line 64).
9. As to claim 6, Dietz teach that the content data output characteristics include at least one of character gender, character condition, character environment, and language (column 4 lines 30-64).
10. As to claims 7-8, Dietz teach that the content data output characteristics are defined by input received by the first computer through a user interface; and the content data output characteristics are defined by input received by the second computer through a user interface (figure 1; and column 3 line 44 to column 4 line 30).
11. As to claim 9, Dietz teach that the content data output characteristics are stored in a database residing in memory storage coupled to the second computer (column 4 line 65 to column 5 line 39).

Art Unit: 2155

12. As to claim 11, Dietz teach that the first and second computers are coupled to audio speakers, and wherein the content data output characteristics comprise an audio output ratio for outputting content data from the audio speakers (figure 3; and column 6 lines 24-34 and 55-63).

13. As to claims 12-13, Dietz teach that the location information for the first and second computers are respectively obtained from the first and second computers and determined by the physical location of the first and second computers (column 4 line 30 to column 5 line 39).

14. As to claims 10 and 31, they are also rejected for the same reasons set forth to rejecting claims 1-9 and 11-13 above.

15. As to claims 14-19, 21-23, and 25-29, they are also rejected for the same reasons set forth to rejecting claims 1-13 and 31 above, since claims 14-19, 21-23, and 25-29 are merely an apparatus for the method of operation defined in the claims 1-13 and 31.

16. As to claim 30 it is also rejected for the same reasons set forth to rejecting claim 1 above, since claim 30 is merely an apparatus for the method of operation defined in the claim 1.

Art Unit: 2155

17. As to claims 32-37, they are also rejected for the same reasons set forth to rejecting claims 1-13 and 31 above, since claims 32-37 are merely an apparatus for the method of operation defined in the claims 1-13 and 31.

#### **Response to Arguments**

18. Applicant's arguments have been fully considered. The examiner has attempted to answer (response) to the remarks (arguments) in the body of the Office action.

#### **Contact Information**

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

August 08, 2005

*Bharat Barot*  
**BHARAT BAROT**  
**PRIMARY EXAMINER**